

REMARKS

Applicant hereby responds to the Office Action mailed June 12, 2003 in relation to the above-identified patent application. In that Office Action, the Examiner rejected Claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Brownlee, Olvey and Peer, Jr. et al references.

Of the ten (10) claims currently pending in the present application, Claims 1 and 6 are independent in nature, with the remaining claims being dependent upon respective ones of these independent claims. By this Amendment, Applicant has amended each of independent Claims 1 and 6. Independent Claim 1 is directed to a method of forming a laminated material which comprises the steps of corrugating a paper sheet while applying a liner to at least one side of the corrugated paper sheet. In Claim 1 as amended, the liner is described as being a pre-made laminate of a paper backing and a polyester film having a first side surface which is metalized and a second side surface which is corona treated.

Independent Claim 6 is itself directed to a method of forming a laminated material and also recites the steps of corrugating a paper sheet while applying a liner to at least one side of the corrugated paper sheet. In Claim 6 as amended, the liner is described as being a pre-made laminate of a paper backing and a polyester film having a first side surface which is metalized and a second side surface which is chemically treated (as opposed to corona treated).

As indicated above, in this latest Office Action, the Examiner relies upon the teachings of the Brownlee, Olvey and Peer Jr. et al references as purportedly rendering obvious each of independent Claims 1 and 6. The Brownlee reference discloses a laminate of a support material and a metalized flexible plastic material. In accordance with the teachings of the Brownlee reference, a sheet lamination process is used wherein a metalized film is laminated to one or both sides of a pre-corrugated substrate. The description bridging pages 4 and 5 of the Brownlee reference proposes that a pre-laminated corrugated card and metalized film may be laminated in a single inline process presenting "no special problems to box makers". However, the Brownlee reference is devoid of any description of how such inline process is able to be achieved, nor is there any mention in the Brownlee reference regarding the pre-treatment of the film to enable the process to proceed in a proper manner.

Indeed, Applicant respectfully submits that the proposal in the Brownlee reference (bridging pages 4 and 5) that a pre-lamination of a support material (e.g., a card) and a metalized plastic film may be made in a single inline process without presenting any special problems to box makers is flawed and inaccurate. In this regard, submitted herewith for the Examiner's consideration is a Declaration under 37 C.F.R. §1.132 executed by Mr. Wayne John Harrison, the sole inventor of the present application (hereinafter the "Harrison Declaration"). The Harrison Declaration explains with particularity the reasons why the representation in the Brownlee reference that no special problems are involved in combining a pre-lamination of card and metalized plastic film in a single inline process is inaccurate.

In the Office Action, the Examiner concedes that the Brownlee reference does not disclose pre-treating (e.g., corona or chemically treating) a side of the film prior to bonding it to the paper liner. The Examiner also concedes that the Brownlee reference does not disclose that the liner is applied to the sheet while corrugating the sheet. To satisfy the former deficiency, the Examiner relies upon the teachings of the Olvey reference, with reliance being placed upon the teachings of the Peer Jr. et al reference to satisfy the latter deficiency in the teachings of the Brownlee reference. The Olvey reference discloses a decorative corrugated product having a pre-printed and/or decorative plastic adhered to at least one side of a facing sheet, the opposite side of which is adapted for subsequent adhesion to a fluted, pre-corrugated medium. There is no teaching or suggestion in the Olvey reference of a pre-treated metalized plastic film, nor does the Olvey reference involve the lamination of the pre-laminate with a paper board while corrugating the paper board as set forth in each of independent Claims 1 and 6 of the present application. Applicant respectfully submits that the drawings and associated description in the specification of the Olvey reference are capable of misinterpretation in that it could be incorrectly concluded that the pre-laminate is layered with a corrugated board immediately after the board is corrugated. In actuality, the layering of the pre-laminate with the corrugated board occurs subsequent to the manufacture of the pre-laminate, with an option being presented of blank forming the pre-laminate or subsequent lamination with a pre-made corrugated sheet.

With regard to the Peer Jr. et al reference, the Examiner contends that such reference discloses a corrugating apparatus wherein a liner is applied to the corrugated sheet while corrugating the sheet. Applicant respectfully submits that the Peer Jr. et al reference, when

properly interpreted, is directed to a process for laminating a corrugated board with a pre-laminate including a metalized film. No mention is made in the Peer Jr. et al reference regarding the pre-treatment of the surface of the film as recited in each of amended independent Claims 1 and 6. Though the Peer Jr. et al reference refers to radiation treatment of the plastic film, such film is required to impart additional tear strength and wet strength to the corrugated packing material (see Column 5, lines 61-62). Thus, the treatment of the film is carried out in order to improve the structural integrity thereof. In contrast, in accordance with the language of amended independent Claims 1 and 6, the surface (rather than the structure) of the film is treated in order to overcome the problems outlined in the Harrison Declaration. Additionally, as set forth with particularity in Paragraph 28 of the Harrison Declaration, the Peer Jr. et al reference fails to consider the effects of the excess heat of the laminate to its paper backing. Though as conceded in the Harrison Declaration, the Peer Jr. et al reference mentions the adhesion between the paper backing and the corrugated flutes (see Column 8, line 25), the delamination problem described in the Harrison Declaration which occurred in the initial trials was attributable to the polyester sheet removing itself from its paper backing, and not the separation of the paper backing from the flutes.

Applicant respectfully submits that for the reasons described above and clearly articulated in the Harrison Declaration, neither the Brownlee, Olvey nor Peer Jr. et al references, considered alone or in combination, render obvious the subject matter recited in each of independent Claims 1 and 6 of the present application. Thus, Applicant respectfully submits that independent Claims 1 and 6 are in condition for allowance, as are Claims 2-5 and 7-10 as being dependent upon respective allowable base claims. An early Notice of Allowance with respect to Claims 1-10 is therefore respectfully requested.

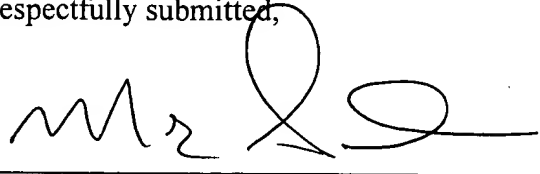
Application No.: 09/981,388,
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If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 12/10/03

By:

A handwritten signature in black ink, appearing to read 'Mr. Garred', written over a horizontal line.

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